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18 Johnson and Ethicon, Inc.

19  
20 UNITED STATES DISTRICT COURT  
21  
22 DISTRICT OF NEVADA

23 TAMARA J. TOWNSEND,

24 Case No. 2:20-cv-01984-APG-DJA

vs.  
25 Plaintiff,

**JOINT STIPULATION FOR  
DISMISSAL OF CERTAIN CLAIMS**

26 ETHICON, INC.; and JOHNSON &  
27 JOHNSON,  
28 Defendants.

29 Pursuant to Fed. R. Civ. P. 41(a)(1)(ii), Plaintiff Tamara Townsend  
30 and Defendants Johnson & Johnson and Ethicon, Inc. (collectively “the parties”)  
31 stipulate to voluntarily dismiss the following claims in this action with prejudice,  
32 with each side to bear her and their own costs:  
33

34 1. Count II: Strict Liability—Manufacturing Defect;

- 1           2. Count VII: Fraudulent Concealment;
- 2           3. Count VIII: Constructive Fraud;
- 3           4. Count IX: Negligent Misrepresentation;
- 4           5. Count XI: Breach of Express Warranty;
- 5           6. Count XII: Breach of Implied Warranty; and
- 6           7. Count XIII: Violation of Consumer Protection Laws.

7           In light of the parties' stipulation to the dismissal of Counts II, VII,  
8           VIII, IX, XI, XII, and XIII, the parties agree that only claims that remain for the  
9           Court to resolve are Counts I, III, IV, V, VI, X, XIV, XV, XVII, and XVIII.

10          WETHERALL GROUP, LTD.

11          /s/ Peter C. Wetherall

12          Peter C. Wetherall, No. 4414  
13           9345 West Sunset Road, Suite 100  
14           Las Vegas, Nevada 89148

15          AYLSTOCK WITKIN KREIS &  
16           OVERHOLTZ  
17           Bryan F. Aylstock (*pro hac vice*)  
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Johnson and Ethicon, Inc.

19          **ORDER**

20          IT IS SO ORDERED.



22          UNITED STATES DISTRICT JUDGE

23          DATED: February 17, 2021